

Issued: September 26, 2017

**TOWN PLAN AND ZONING COMMISSION REGULAR MEETING  
WEDNESDAY, SEPTEMBER 6, 2017  
ROOM 400  
TOWN HALL, WEST HARTFORD, CT 06107**

**MINUTES**

**ATTENDANCE:** Chair: Kevin Ahern; Vice Chair: Kevin Prestage; Commissioners: James Akin, Michele Maresca; Alternates: Gordon Binkhorst, Liz Gillette, Staff: Todd Dumais, Town Planner; Catherine Dorau, Associate Planner

**ABSENT:** Commissioner: John O'Donnell

**CALL TO ORDER/ROLL CALL: 7:00 P.M.**

**MATTERS FOR PUBLIC HEARING SHALL BE CALLED AT 7:15 P.M.**

**MINUTES:**

1. Approval of Minutes:
  - a. Minutes of the Regular Meeting, Monday, August 7, 2017  
*Motion/Gillette; Second/Maresca; Vote 5-0; Voting: Ahern, Akin, Maresca, Alternates: Gillette, Binkhorst.*

**COMMUNICATIONS:**

2. **54 Sunset Farms Road**- Notice of Inland Wetlands and Watercourse Violation for tree clearing and site disturbance activity in a regulated IWW area. *Communication received.*

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- 2a. **1 Memorial Road** – Request to modify the approved outdoor dining plan seating arrangement.

After a detailed review of the item and its related exhibits and after consideration of staff technical comments, the TPZ received and authorized the request. The Commission noted that the proposed change is consistent with the original approval and may be implemented insofar as the following conditions are met:

The Commission accepted the change to eliminate the use of Outdoor Dining at Raymond Road Restaurant area.



TOWN OF WEST HARTFORD

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1. No outdoor dining service shall be permitted in the “Raymond Café” area previously identified on the approved plans. Any use of this area in the future will require an amendment to the Special Use Permit or a reduction of the number of seats in the “Garden Dining” area to 70 seats or less.
2. The fence enclosure around the “Raymond Café” area must be removed. Any request for it to remain will require an amendment to the Special Development District plan.

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#### **NEW BUSINESS:**

3. **991 Farmington Avenue-** Application (SUP #1302-R1-17) of Dorjan Puka of Zohara Restaurant, on behalf of Lasalle Road Partners, Record Owner (Hilary Donald, AIA), seeking approval to amend SUP #1302 to increase the outdoor dining seating capacity from fifty-two (52) seat outdoor dining to eighty (80) seats. (Submitted for TPZ receipt on September 6, 2017. Suggest required public hearing be scheduled for October 2, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5-0)** (Motion/Akin; Second/Prestage) (Binkhorst seated for O'Donnell) to schedule this matter for a **public hearing on October 2, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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4. **175 North Main Street-** Application (IWW #1065) of William Hardy, President, FIP Construction, Inc Applicant/Record Owner, requesting approval of an Inland Wetlands and Watercourses Permit to conduct certain regulated activities, which may have an adverse impact on a wetland and watercourse area. The applicant proposes to construct a 2-car garage and an addition totaling approximately 766 square feet. The proposed garage will be located on a portion of existing paved driveway. Minor modifications to the existing driveway will be made to accommodate the entrance into the new garage. A 672 sq.ft. deck replacing an existing 360 sq.ft. deck is also proposed. (Submitted for IWWA receipt on September 6, 2017. Presented for determination of significance.)

After a detailed review of the application and its related exhibits and after consideration of staff technical comments, the IWWA acted by **unanimous vote (5-0)** (Motion/Prestage, Second/Maresca to find the proposed regulated activity to be **POTENTIALLY SIGNIFICANT** and set this matter for public hearing on **October 2, 2017** at 7:15 P.M. in the Legislative Chamber, Room 314, West Hartford Town Hall, 50 South Main Street.

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**OLD BUSINESS:**

5. **1445 New Britain Avenue**- Application (SUP #1312) of Shake Shack, on behalf of Seritage SRC Finance, LLC (R.O.), requesting Special Use Permit approval for a forty-two (42) seat outdoor dining area at Shake Shack. (Submitted for TPZ receipt on August 7, 2017. Required public hearing scheduled for September 6, 2017.)

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
  - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
  - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
  - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2019 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.
3. All outdoor dining furniture shall be removed at the end of the outdoor dining season.
4. The outdoor dining operational plan shall be updated and include reference to and adherence with the Town of West Hartford's Noise Ordinance for any outdoor music.
5. Prior to the initial opening of the outdoor dining area, an inspection by the Planning Division is required to ensure compliance with the approved plan.

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6. **2626 Albany Avenue**- Application (SUP #1310) of Bright & Early West Hartford, LLC, on behalf of Beth El Temple (R.O), requesting Special Use Permit to operate a childcare and preschool center for children 6 (six) weeks old through school age with a licensed capacity of

106 children. (Submitted for TPZ receipt on June 5, 2017. Required public hearing scheduled for July 10, 2017. Item opened and immediately continued to August 7, 2017. Item continued again to September 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (*Motion/Gillette; Second/Prestage*) (*Gillette seated for O'Donnell*) to **APPROVE** the Special Use Permit application with conditions. During its discussions and deliberations on this matter, the Commission made the following findings and conditions:

1. The proposal meets the finding requirements of Section 177-42A (5a) of the West Hartford Code of Ordinances. In particular:
  - a. The location and size of the use, the nature and intensity of the operations connected with this use, the size of the lot in relation to it and the location of the lot with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
  - b. The kind, location and height of all structures and the nature and extent of the landscaping on the lot are such that the use will not hinder or discourage the appropriate development and use of adjacent properties.
  - c. The parking and loading facilities are adequate and properly located for the proposed use, and the entrance and exit driveways are laid out so as to achieve maximum safety.
2. Pursuant to West Hartford Code of Ordinances Section 177-42A (8), the applicant shall return to the TPZ by September 2019 for further review and evaluation. The TPZ may consider supplemental conditions of approval if operational concerns are identified.

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7. **2626 Albany Avenue-** Application (SUP #1275-LB-17) of Joy of Food, LLC, on behalf of Beth El Temple (R.O.), requesting TPZ review of compliance with conditions of SUP #1275 approved on July 8, 2015 to operate an accessory, full service, kosher catering business at the Beth El Temple. (Submitted for TPZ receipt on July 10, 2017. Required public hearing scheduled for August 7, 2017. Item opened and immediately continued to September 6, 2017.)

After a brief review of the application and its related exhibits and after consideration of staff technical comments, the TPZ acted by **unanimous vote (5 -0)** (*Motion/Akin; Second/Prestage*) (*Binkhorst seated for O'Donnell*) to find that no additional conditions of approval were required for the Special Use Permit.

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8. **34 Lasalle Road (AKA 36 Lasalle Road)**- Application (SUP #1311) of Jimi Brahimi on behalf of Sarjac Partners, LLC, Record Owner, requesting Special Use Permit approval for a ten (10) seat outdoor dining area at Division West restaurant. (Submitted for TPZ receipt on July 10, 2017. Required public hearing scheduled for August 7, 2017. Item postponed to September 6, 2017.) *Item not heard and will be scheduled for October 2, 2017.*

**TOWN COUNCIL REFERRALS:**

**TOWN PLANNER'S REPORT:**

9. Flood Prone Property Information & Annual FEMA CRS Update

**INFORMATION ITEMS:**

**MEETING ADJOURNED 8:50 P.M. Motion/Prestage; Second/Ahern; Vote 5-0.**

**REMINDER OF FUTURE TPZ REGULAR AND SPECIAL MEETINGS:**

- TPZ Regular Meeting, Monday, October 2, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, November 6, 2017 @ 7:00 P.M.
- TPZ Regular Meeting, Monday, December 4, 2017 @ 7:00 P.M.

***“Any individual with a disability who needs special assistance to participate in the meeting should contact Social Services Department, 860.561.7561, five days prior to the meeting.”***

U: shareddocs/TPZ/Minutes/2017/September 6 final minutes